

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In ~~an~~ application of

GARY LOCK ET AL

U.S. Serial No. 10/031,364

Group Art Unit 1743

Filed: February 19, 2002

TRAVELING WAVE DIELECTROPHORETIC APPARATUS AND METHOD

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an **preliminary amendment** / ~~a response~~ in the above-identified application.

 No additional fee is required.
 X An additional fee is required as calculated below -

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	<u>Small Entity</u> Add'l Rate Fee	<u>Other Than A Small Entity</u> Add'l Rate Fee
Total	<u>47</u>	Minus * <u>39</u>	<u>8</u>	x \$ 9 \$ <u> </u>	x \$18 \$ <u>144.00</u>
Indep	<u>04</u>	Minus * <u>05</u>	<u>0</u>	x \$42 \$ <u> </u>	x \$84 \$ <u> </u>
First Presentation of Mul Dep Claim.....				x \$140 \$ <u> </u>	x \$280 \$ <u> </u>
Total Additional Fee.....				\$ <u> </u>	\$ <u>144.00</u>

- * The "Highest Number Previously Paid For" (Total or Independent) is the highest number of claims filed originally or highest number found from equivalent box of a prior amendment.

 This response is being filed within the period for response.

 Applicant(s) hereby petition for an extension from the date of the Examiner's Action as follows:

 First-Month Extension..... \$ 55.00 / \$ 110.00
 Second-Month Extension..... \$ 200.00 / \$ 400.00
 Third-Month Extension..... \$ 460.00 / \$ 920.00

 Small entity status of this application has been established.

A Check in the amount of \$ 144.00 is attached hereto. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-3690 of the undersigned attorney. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By *Myung Breiner*
 Attorney of Record, Reg. No. 33,161

Date: May 15, 2002
 (703) 684-6885

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"PATENT APPLICATION"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

GARY LOCK ET AL

U.S. Serial No. 10/031,364

Group Art Unit 1743

Filed: February 19, 2002

TRAVELING WAVE DIELECTROPHORETIC
APPARATUS AND METHOD

Alexandria, Virginia
May 15, 2002

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to action by the Examiner in the captioned
application, please amend the application as follows:

IN THE ABSTRACT:

Add an Abstract as shown in the attached clean version.

IN THE CLAIMS:

Cancel claim 26 without prejudice.

Amend the claims as follows:

1. (Amended) A method for determining properties of a particle, including response of the particle to exposure to a chemical or physical agent, and for separating particles of more than one type, comprising steps of applying to a suspension of particles a first signal at a

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